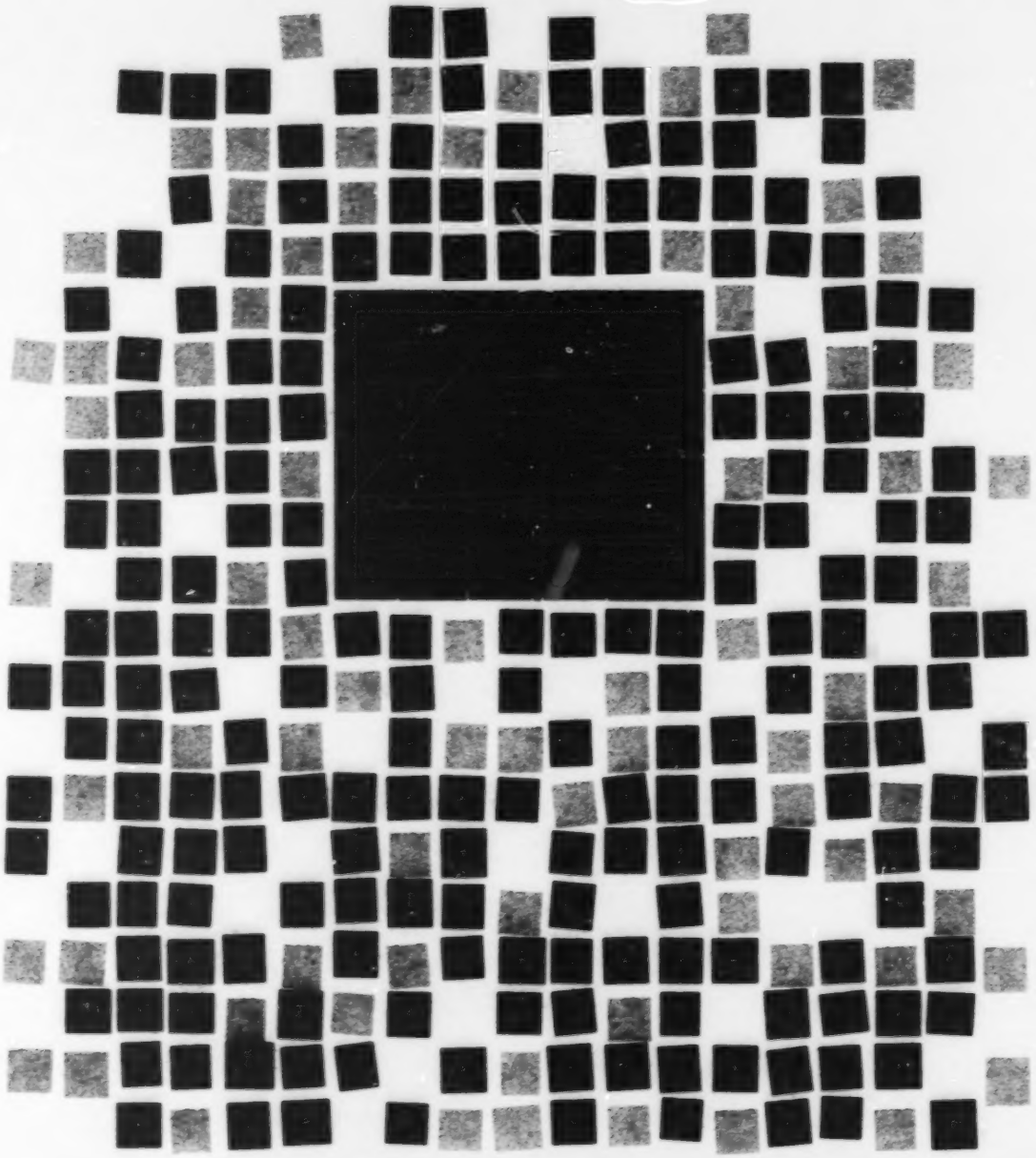


ANNUAL REPORT

1 APRIL 1988 – 31 MARCH 1989

Alberta

HUMAN RIGHTS COMMISSION

91-04895/

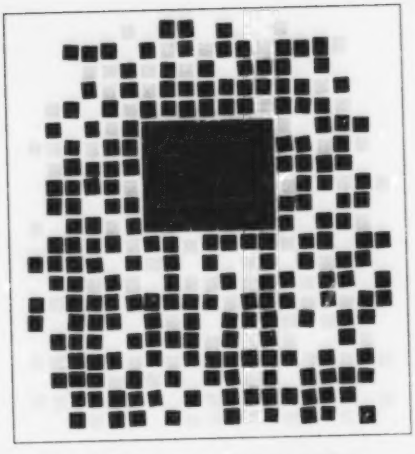
The Alberta Human Rights Commission's logo symbolizes several important concepts associated with human rights.

The figure represents a person; it makes no distinction on gender or race, representing equality in humanity.

The figure's outstretched arms represent an open willingness to accept all people, acknowledging the inherent dignity of all men and women.

The figure holds a staff, which represents the assistance and support given through human rights legislation.

The letter "h" represents a wheelchair; the wheelchair is a symbol associated internationally with the physically disabled.



ANNUAL REPORT

1 APRIL 1988 – 31 MARCH 1989

Alberta
HUMAN RIGHTS COMMISSION

HRC7-89-A-750
ISSN 0380 4518

Alberta

LABOUR

Office of the Minister

103 Legislature Building
Edmonton, Alberta T5K 2B6
Telephone 403/427-3664
Fax 403/422-9556

Also responsible for
LABOUR RELATIONS BOARD
HUMAN RIGHTS COMMISSION
WOMEN'S SECRETARIAT
ADVISORY COUNCIL ON WOMEN'S ISSUES
PERSONNEL ADMINISTRATION OFFICE

March, 1991

The Honourable Dr. D. Carter
Speaker
Legislative Assembly of Alberta

Sir:

I have the honour to submit the Annual Report of the Alberta Human Rights Commission for the fiscal year ended March 31, 1989, in accordance with section 18(2) of the Individual's Rights Protection Act.

Respectfully submitted,

Elaine McCoy

Elaine McCoy Q.C.
Minister of Labour

Alberta

HUMAN RIGHTS COMMISSION

Room 805, 10808 - 99th Avenue, Edmonton, Alberta, Canada T5K 0G2 403/427-3116 Fax 403/422-3563 1-800-432-1838

March, 1991

The Honourable Elaine McCoy
Minister of Labour
103 Legislature Building
Edmonton, Alberta

Dear Ms. McCoy:

I am pleased to submit to you, the Minister responsible for administering the Individual's Rights Protection Act, the Annual Report of the Alberta Human Rights Commission for the year 1988–89 for tabling before the Legislative Assembly.

Respectfully submitted,

Fil Fraser
Chief Commissioner

CONTENTS

CHAIRMAN'S REPORT 1

MANDATE 2

RECOMMENDATIONS 3

EDUCATION AND PUBLIC INFORMATION 5

COMPLAINT PROCEDURE 8

COMPLAINTS OF DISCRIMINATION 9

COMMISSIONERS 16

STATISTICS 19

"WHEREAS recognition of the inherent dignity and the equal and inalienable rights of all persons is the foundation of freedom, justice and peace in the world; and

WHEREAS it is recognized in Alberta as a fundamental principle and as a matter of public policy that all persons are equal in dignity and rights without regard to race, religious beliefs, colour, sex, physical disability, age. ancestry or place of origin; and

WHEREAS it is fitting that this principle be affirmed by the Legislature of Alberta in an enactment whereby those rights of the individual may be protected..."

FROM THE PREAMBLE TO THE INDIVIDUAL'S RIGHTS PROTECTION ACT

CHAIRMAN'S REPORT

In the 1988-89 year we joined the world in celebrating the 40th anniversary of the Universal Declaration of Human Rights. Throughout 1988 an anniversary committee, spearheaded by the Commission and composed of representatives of several interested groups in the province, conveyed the message of the importance of the declaration from which the legislation we administer is fashioned.

The staff continued to handle complaints fairly and expeditiously. Complaints rose to 290 over the previous year's total of 235* but was at the same level as in 1986-87. The most noticeable increase was in sexual harassment complaints in the area of employment.

The Commission's recommendations for changes to the Individual's Rights Protection Act are listed in our annual report for 1986-87, and we were disappointed that the Individual's Rights Protection Act was not amended in 1988. The throne speech in January 1989 indicated some of the changes recommended would be acted upon, but other legislative actions took precedence and the Legislature prorogued before action could be taken. It is hoped that the government will act upon the recommendations very early in the next session. The ability of the Commission to effectively deal with complaints, and meet reasonable public expectations for the protection of human rights, is the most serious challenge to the Commission's credibility in the public's perception.

Any broadening of the protected grounds will increase the number of complaints. Those based on the grounds of mental disability are anticipated to be particularly time consuming, at least in the short run. Efforts will also be required by the Commission members and education staff to inform the public of the implications of the changes. Staff have shown themselves better able to deal with an increase of meritorious complaints because, in my opinion, they operate much more effectively and efficiently than any other jurisdiction of which I am aware.

While the Commission and staff are able to reach those involved in minority and other interest groups the advertising budget is far too limited to allow the Commission to reach the thousands of Albertans who are unaware of the Individual's Rights Protection Act and who do not appreciate the harm that results from racial and other forms of discrimination. The Commission has requested the Minister responsible to provide sufficient funds for an advertising campaign. At this time they are awaiting the government's response.

Because of increasing emphasis on the concept of "equal pay for work of equal value" as the answer to the male-female wage gap, and the nature of such legislation in other jurisdictions, the Commission undertook a review of the issue and attempted, within its limited means, to obtain information from interested parties in Alberta. The results of our efforts are summarized in this report.

Fortunately, few complaints required independent board of inquiry hearings. However, the cost of board hearings last year was $193,272. This does not include the internal administrative cost, such as salaries for internal counsel, etc. I have suggested to the Minister that members of the Commission might play a role in holding such hearings, as is the practice in British Columbia, and I believe the suggestion is worthy of consideration.

At the end of 1989 the Commission will be composed entirely of new Commissioners. Hopefully, the amendments we have sought will be in place to make the Act more effective.

Stan Scudder

Stan Scudder
Chairman

MANDATE

INDIVIDUAL'S RIGHTS PROTECTION ACT

The Individual's Rights Protection Act bestows on the Alberta Human Rights Commission a twofold mandate:

(1) to promote and safeguard the spirit and principles embodied in the Act; and,

(2) to protect Albertans against acts of discrimination.

The Commission fulfils its mandate by educating the public about the Act and by investigating complaints of discrimination.

The Act protects Albertans from discrimination in four main areas: employment; tenancy; public services and accommodation; and, signs and notices published or displayed before the public.

In these "protected areas" it is a contravention of the Act to discriminate against anyone on the basis of race, colour, sex, religious beliefs, physical disability, ancestry or place of origin. Age, pregnancy (when employed) and marital status are also protected grounds in the area of employment.

Age is also a protected ground in the area of signs and notices.

The Act aims to give Albertans an equal opportunity, free of discrimination, to earn a living, find a place to live, and enjoy public services and accommodations.

The Commission attempts to negotiate settlements that satisfactorily resolve complaints. Its function is remedial, not punitive. That is, the Commission negotiates remedies that will, to the greatest extent possible, restore the individual to the same position he or she was in before the act of discrimination took place.

The Commission does not look for guilt or innocence in a complaint, nor does it have the legal power to order an employer, landlord, or service provider to pay a fine or agree to a settlement. The Act is not a penal statute, as is the Criminal Code. Consequently, enforcement does not result in an individual or a company being found guilty, or a criminal offender. Throughout the investigation of a complaint, the emphasis is on establishing the facts and, where they substantiate the complaint, in resolving the complaint.

Through the Commission's educational activities schools, businesses, unions, special interest groups, and the general public learn about the provisions of the Individual's Rights Protection Act. They are encouraged to apply its principles in their day-to-day relationship with fellow Albertans.

Through education, Albertans realize that the Act is not designed to control prejudice (what people think), but to prohibit discrimination (what people do).

HUMAN RIGHTS COMMISSION

The Alberta Human Rights Commission is made up of seven commissioners who hold their positions part-time and are appointed by the Lieutenant Governor in Council to represent the public at large. The Commission is responsible to the Minister of Labour for the administration of the Individual's Rights Protection Act.

The Commission is an autonomous and independent body. It convenes every month with meetings alternating between Calgary and Edmonton. Sessions are sometimes held in other parts of the province.

Special meetings are open to the public and media. This has also enabled groups and individuals to present to the Commission matters of mutual interest and concern.

Confidential sessions are used to formulate policies, review complaints, and discuss issues affecting the Act.

COMMISSIONERS

(see pages 16 – 18 for biographies)

	Term Expires
Stan Scudder, Chairman	30 June 1989
Pearl Calahasen	31 October 1989
Del Iannucci	31 December 1993
Enrico Lazo	31 January 1990
William Leslie	31 October 1988
Suzanne Mah	31 October 1988
Edna Short	31 December 1989
Alaine Skoreyko	31 January 1993

ADMINISTRATION

The Commission's head office is located in Edmonton and houses the chairman, executive director and support staff. The office is separate from the Commission's regional offices, where most of the contacts between the public and Commission staff occur. The northern regional office in Edmonton is responsible for the province north of Red Deer, while the southern regional office in Calgary is responsible for Commission activities in the southern half of the province including Red Deer.

Staff handled 9,871 telephone enquiries. Some 2,560 of these fell within the jurisdiction of the Commission, resulting in 290 complaints. Staff referred callers to the appropriate agency or government department when the enquiries were outside the Commission's jurisdiction.

The Commission continued to enhance its investigation and processing of complaints. Most were settled satisfactorily and within 30 days. The remainder were either abandoned by the complainants or dealt with by boards of inquiry.

RECOMMENDATIONS

The Alberta Human Rights Commission recommended to the Government of Alberta, through the Minister of Labour, that the Individual's Rights Protection Act be amended to: ensure broader coverage of rights; clarify the intent of certain sections of the Act; facilitate better enforcement; and, remove inconsistencies between sections of the Act. The recommendations of fiscal year 1988-89 included:

- MENTAL DISABILITY
  To include mental disability as a protected ground thereby giving individuals with mental disabilities protection commensurate with that currently provided for those with physical disabilities.

- BONA FIDE OCCUPATIONAL REQUIREMENT
  To remove this defence for respondents. A bona fide occupational requirement, by its very nature, is considered nondiscriminatory because it is a necessary requirement of the job, even though there may be those who, for reason of physical disability, religious beliefs, or other protected ground, cannot perform the job because of the requirement.

  Removal of this defence would require employers, short of undue hardship, to reasonably accommodate employees in their religious beliefs, physical disability, or other protected ground.

- SEXUAL HARASSMENT
  To specify in the Act that sexual harassment is discrimination on the grounds of sex, and that an employer is responsible to correct the misconduct if he or she has knowledge of it.

- DOMESTIC AND LIVE-IN FARM EMPLOYEES
  To provide protection from sexual harassment and on the grounds of pregnancy to domestic and live-in farm employees.

- RETALIATION
  To outline more specifically the protection against retaliation provided to those who assist in the investigation and enforcement of a complaint of discrimination.

- INVESTIGATIVE POWERS
  To provide powers needed to properly investigate a complaint. This would, for example, help avoid situations where an employer refuses to have the Commission interview an employee.

- PUNITIVE AND GENERAL DAMAGES
  To give boards of inquiry discretionary power to award punitive and general damages. The Court of Queen's Bench of Alberta had decided that, under the Act, no such damages could ever be awarded.

- PREGNANCY
  To delete the word "only" before the word "pregnancy" in subsection 7(1.1). This subsection was incorporated to protect female employees from discrimination because they had become pregnant during their employment. The current language allows for pregnancy to be a reason for discrimination, even the principal reason, but if there is any other cause present for the employer's actions, such as firing, or refusing to promote an employee because she is pregnant, subsection 7(1.1) is ineffectual. Removing "only" would accord the ground of pregnancy the same status as all other protected grounds in the Act.

- POWER OF REJECTION
  To add a subsection (3) to Section 19 to the effect that the Commission may, at its discretion, decide not to accept a complaint which in the opinion of the Commission is frivolous, trivial, or vexatious.

- REFUSAL TO COOPERATE WITH THE COMMISSION
  To amend Section 26 by adding a subsection making non-cooperation with the Commission in the performance of its duties under the Act an offence subject to possible penalties.

- REJECTION OF REASONABLE SETTLEMENT
  To add subsections to Section 29 so that when a complainant rejects a reasonable offer of settlement, carriage of the complaint before a board of inquiry shall be taken over by the complainant.

EDUCATION AND PUBLIC INFORMATION

The Alberta Human Rights Commission conducted numerous programs and projects to educate the public and promote human rights in Alberta. Seminars, presentations, and workshops by the Commission's education officers continued to be popular. The Commission was involved in new promotional activities. Commissioners and staff took part in in-service training to enhance their general awareness and knowledge of human rights issues and topics.

EDUCATION

An important mandate of the Alberta Human Rights Commission, as prescribed in the Individual's Rights Protection Act, is "... to research, develop, and conduct educational programs designed to eliminate discriminatory practices related to race, religious beliefs, colour, sex, physical disability, age, ancestry, or place of origin." Such programs also cover the protected grounds of marital status and pregnancy in the area of employment.

The education program is aimed primarily at schools, special interest groups, and employers. The Commission's four education officers conducted workshops and seminars, provided consultations, and made public presentations.

The combined number of workshops, seminars, consultations, and other forms of presentation increased to 456 from 437 the previous year, with 6,205 participants.

The workshops and seminars generally dealt with a variety of topics. These included the Individual's Rights Protection Act, job interviews, sexual harassment, the Canadian Charter of Rights and Freedoms, equal opportunities in employment, the principles of 'reasonable accommodation' and 'reasonable and justifiable' discrimination.

Education officers attended conferences, staffed the human rights display booth at trade fairs, distributed information, conducted workshops and seminars, and made presentations to conference delegates. They responded to a growing number of requests from employers for consultations.

Groups requesting education seminars or consultations included: schools, colleges and universities; employers; government managers and supervisors; participants in employment programs; multicultural groups; immigrant associations and groups; Albertans with disabilities; and volunteer organizations.

PUBLIC INFORMATION

Numerous activities in 1988-89 promoted the message of human rights and the province's human rights legislation.

Highlights included the celebration, throughout the province, of the 40th anniversary of the signing of the Universal Declaration of Human Rights by the United Nations, and the second annual presentation of the Alberta Human Rights Award (see "Special Events," page 7).

The Commission responded to numerous enquiries from the media on topics such as sexual harassment, pay equity, mandatory retirement, racism, complaint statistics, boards of inquiry, AIDS, sexual orientation and pregnancy complaints. Periodically, the Commission issued news releases containing details of complaints settled by the Commission, as a way of providing examples of how the Commission functions and informing the public of the province's human rights legislation.

News releases were also issued announcing new appointments to the Commission.

The Commission continued to produce its quarterly publication, the Alberta Human Rights Journal, available free to interested Albertans.

The Commission advertised in a number of publications to promote the themes of fairness and equality. Employer seminars and workshops were advertised through direct mail and in the Chamber of Commerce publications in Edmonton and Calgary. Special advertising campaigns were devoted to promoting human rights and the 40th anniversary of the signing of the Universal Declaration of Human Rights by the United Nations, and to Alaine Skoreyko's receipt of the 1988 Alberta Human Rights Award.

The Commission continued to distribute the popular posters, entitled, "Alberta Is For All Of Us," and the Commission's information kit which contains data sheets on specific subjects. Several new data sheets were developed and added to this information kit: including sexual harassment; development of a policy on sexual harassment; a sample sexual harassment policy; and, the relationship between the Canadian Charter of Rights and Freedoms and Alberta's Individual's Rights Protection Act.

Finally, a brochure entitled, "Human Rights In Alberta" was developed and produced. This brochure provides a comprehensive summary of human rights in Alberta and includes the functions and responsibilities of the Commission, the content of the Individual's Rights Protection Act, and the steps to be taken by an individual who believes that he or she has been subjected to discrimination.

The 40th anniversary year of the Universal Declaration of Human Rights by the United Nations, brought many requests from throughout Alberta for Commissioners and staff to speak on human rights and human rights issues. Topics included: physical disability; the Individual's Rights Protection Act; employment equity; pay equity; drug testing; AIDS; and, the Alberta Human Rights Commission's function and role.

PAY EQUITY REVIEW

The Commission carried out a review of the "pay equity" concept of "equal pay for work of equal value." The review involved surveying over 700 employers and advocacy groups in Alberta, obtaining information from management consultants who have set up systems in accordance with the pay equity laws of Manitoba and Ontario, and examining previous studies.

The previous studies and the survey both indicated that factors such as work experience, education, periods of absence from the workforce, hours worked, choice, and, especially, marital status have a more dramatic effect on wage relationships than does gender. The survey yielded no meaningful evidence of gender discrimination being the cause of wage disparity.

The Commission's will continue to enforce Alberta's human rights legislation which demands equal pay for similar or substantially similar work. The Commission is seeking authority to file third-party complaints alleging violation of this law.

The Commission's position has been to support the concept of equal pay for work of equal value which has at its goal, internal equity among all jobs within a given employment unit, or establishment. Knowledge, skills, effort, responsibility, and working conditions are among the factors to be considered when assessing the wage-job relationship.

The Commission's aim is to eliminate quickly and equitably the identified economic inequities affecting women in the workforce. The Commission is committed to eliminating discriminatory barriers in the workplace and will continue to monitor the effect of legislated pay equity programs in other jurisdictions.

SPECIAL EVENTS

ALBERTA HUMAN RIGHTS AWARD

Alaine Skoreyko of Calgary became the second recipient of the Alberta Human Rights Award at a presentation ceremony held in Edmonton, on December 8, 1988.

Mrs. Skoreyko, a retired Calgary school teacher, received the award for creating and organizing SPEDS (the Society for the Prevention and Elimination of Discrimination and Stereotyping). She developed the SPEDS program in 1975 while teaching at Brentwood Elementary School in Calgary. The goal of the program is to eliminate discrimination and stereotyping by helping elementary school students at the Grade 5 level gain a better understanding and tolerance for racial, cultural, ethnic, and physical differences.

The SPEDS program has gained recognition from educators throughout Alberta and across Canada. In 1986, the program was adopted officially by the Calgary School Board and each year more teachers from within the province and outside of the province are learning the program and presenting it in their classrooms.

THE 40TH ANNIVERSARY CELEBRATION

December 10, 1988, marked the 40th anniversary of the signing of the Universal Declaration of Human Rights by the United Nations. During this 40th anniversary year, the Alberta Human Rights Commission (AHRC) provided leadership to the Alberta Co-ordinating Committee.

Formed under the auspices of the Department of the Secretary of State of Canada, the committee was composed of individuals representing various groups, such as persons with disabilities, native peoples, visible minorities, and senior citizens, all of whom have played a significant role in the preservation of human rights in our society.

Often working in conjunction with local committees from around the province, the Alberta Co-ordinating Committee helped to create a very successful province-wide program of events and activities focusing on the United Nations Human Rights Declaration and highlighting the theme, "Your commitment to a better world community." This theme, chosen by the committee, emphasized individual initiative and responsibility for the enhancement of the dignity of all people in the province, as part of every person's commitment to a better world community.

The word was spread by newsletters, the Human Rights Declaration poster, a brochure, and a series of public service announcements and news releases provided to the media.

Along with the dissemination of information, the committee provided speakers, helped with organizing events, and sponsored an essay/poster contest for students from Grades 9 to 12.

Alberta's celebration ended with a flourish: the announcement of the poster/essay contest winners on December 5, in Calgary; and, candle lighting ceremonies on December 10 at the Olympic Plaza in Calgary and the Provincial Museum of Alberta in Edmonton.

NATIONAL CONFERENCE

The Chairman, the Executive Director, Southern Regional Director, and Commissioners, Pearl Calahasen, Edna Short and William Leslie attended the annual conference of the Canadian Association of Statutory Human Rights Agencies (CASHRA) in 1988. The conference, sponsored by Newfoundland's Human Rights Commission, was held in St. John's and covered a wide range of topics, including: AIDS; drug testing; human rights training; affirmative action; and, information sharing.

CASHRA is made up of commissioners and officials from federal, provincial, and territorial statutory human rights agencies. It meets to discuss topics of common concern. Each year, a different agency sponsors the conference. The Alberta Human Rights Commission last hosted the conference in Edmonton in 1985.

INFORMATION SESSIONS

Guest speakers with expertise in subjects related to human rights issues provided the Commission with new insights.

Dr. Bryce Larke, Director of the Provincial AIDS Program, and Janice Trylinski, Manager of Legislative Affairs in Alberta Community and Occupational Health, gave a presentation on AIDS and the Individual's Rights Protection Act to the Commission on July 27, 1988.

At the December 9, 1988 meeting of the Commission, Pat De Zutter, Executive Director of the Women's Secretariat, and consultant Charles Hayle made a presentation on a study entitled "Economic Equity for Women in Alberta."

COMPLAINT PROCEDURE

FORMAL COMPLAINTS

When the Alberta Human Rights Commission receives a complaint alleging an act of discrimination, a human rights officer first determines whether the Commission has jurisdiction in the area and whether there are 'reasonable grounds' to believe discrimination has occurred.

When it appears that the Individual's Rights Protection Act has been contravened, the complainant is required to sign a complaint form before the Commission can investigate. The respondent, or party against whom the complaint is lodged, is notified of the complaint before any further action is taken.

Individuals wishing to protect their rights must accept the responsibility of signing a complaint form within six months of the alleged act of discrimination.

Commission investigations are objective and impartial. Complainants and respondents are both given an equal opportunity to present their respective positions, and the Commission staff investigate to verify information.

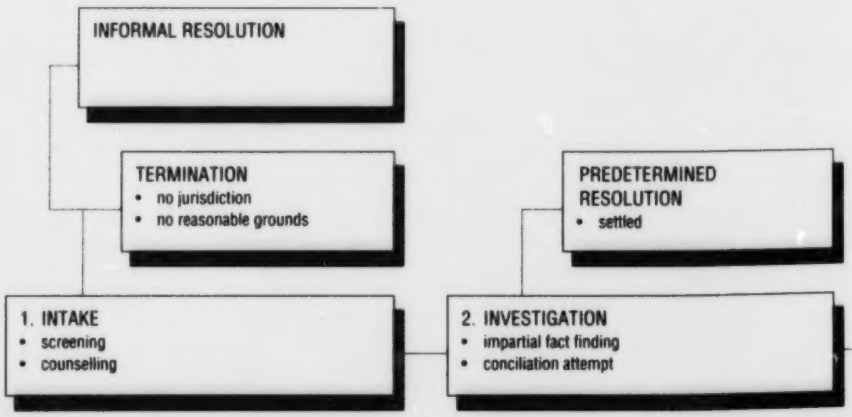
The Commission will dismiss a complaint at any stage of the proceedings if, in its opinion, the complaint is without merit. If it is determined that the Act is contravened, Commission officers attempt to negotiate a settlement. Because each case is unique, negotiated settlements can vary from letters of apology to cash settlements for lost wages. Commission officers do not have the power to order a settlement; however, the Commission aims to resolve complaints to the satisfaction of both parties.

When the Commission is unable to settle a complaint, it must report this to the Minister of Labour and may direct the minister to appoint a board of inquiry, a quasi-judicial body, to formally conduct an inquiry.

INFORMAL COMPLAINTS

Complaints may be dealt with in an informal manner with the consent of the parties. The aim is to resolve the complaint expeditiously to the satisfaction of both parties. If these mediation efforts are unsuccessful, the complaint will be formally investigated. The complaint can be settled or concluded at any stage of the process.

HOW COMPLAINTS ARE HANDLED
Most complaints to the Alberta Human Rights Commission are resolved in four or fewer steps. Complaints may be resolved, or dismissed, at any step in this process. Unresolved complaints may go to a board of inquiry.



COMPLAINTS OF DISCRIMINATION

Human rights officers attempt to resolve complaints which fall under the jurisdiction of the Individual's Rights Protection Act. In most cases, complaints are satisfactorily settled between the complainant and the respondent.

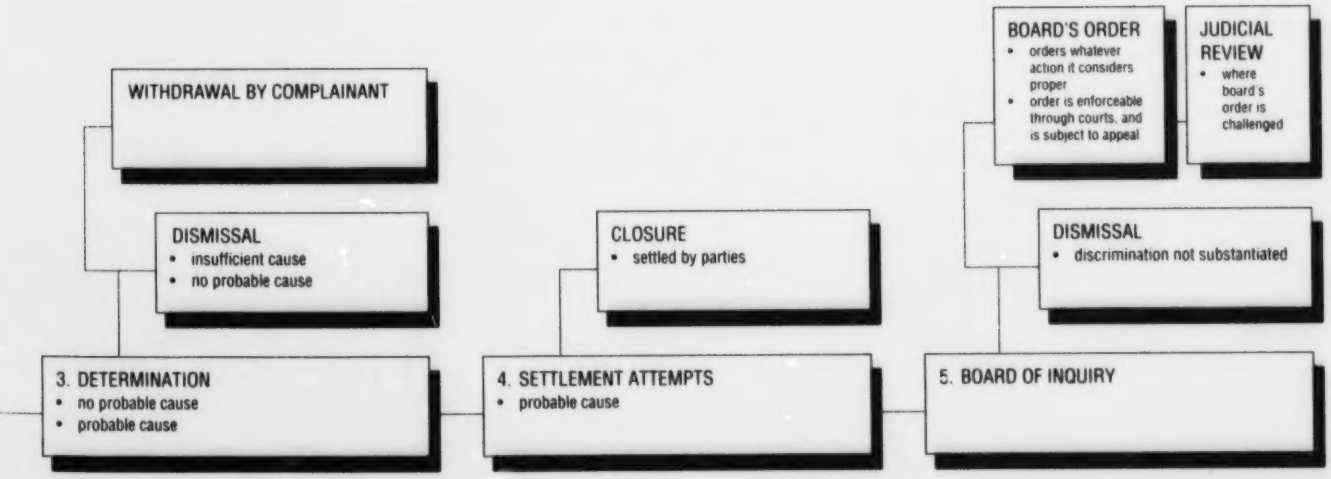
Some examples of the various cases handled by the Commission in 1988-89 follow.

EXAMPLES OF SETTLED CASES

AREA OF EMPLOYMENT

(1) Ground: Sex
(Sexual Harassment)

A female contacted the Commission with a complaint of sexual harassment against a co-worker. She claimed that the harasser made sexual advances towards her and that, when she rejected these advances, he made her work environment intolerable, whereupon she felt she had no alternative but to resign from her position. The respondent was contacted and apprised of the allegations made.



The Commission found merit to the complainant's allegations. The case was resolved informally by the Commission. A settlement of $2,800 was negotiated on behalf of the complainant. Sexual harassment is a form of discrimination based on sex, and is, therefore, a contravention of the Individual's Rights Protection Act.

(2) Ground: Physical Disability

A male, diagnosed with multiple sclerosis, filed a complaint with the Commission alleging that he had been terminated from his job because his employer refused to accommodate his physical disability. On being informed of the allegation, the respondent denied the complainant's allegations and stated that he was released from his employment after numerous attempts to accommodate his disability had failed.

The Commission's investigation found that there was merit to the complaint. Subsequent negotiations resulted in the complainant receiving a settlement of $12,420 as well as being referred to an agency where he received a grant to complete his university degree.

Where there has not been a reasonable attempt to accommodate a person with a physical disability in the workplace; and there is no danger to the person with the disability, co-workers and the public; and the person, with reasonable accommodation can carry out work responsibilities; it is a contravention of the Individual's Rights Protection Act to terminate a person's employment because of his or her physical disability.

(3) Ground: Sex
(Sexual Harassment)

A female contacted the Commission with a complaint of sexual harassment at her work site. She alleged that her supervisor, who was also the company's general manager, had made remarks of a sexual nature and directed unsolicited sexual overtures towards her.

The Commission's investigation found the complaint to be warranted. A settlement of $3,500 was negotiated on behalf of the complainant.

Sexual harassment is a form of discrimination based on sex, and is, therefore, a contravention of the Individual's Rights Protection Act.

(4) Ground: Race/Ancestry/
Place of Origin

A male parking lot supervisor filed a complaint with the Commission alleging that he was subjected to racial and derogatory remarks and threats from a co-worker.

The Commission's investigation found the claims to be true. In a letter to the Commission the employer apologized for the incident; noted that disciplinary measures were taken against the offending employee; and promised to look out for and take action to resolve any other problems of this type which might arise. The employer also directed the offending person to provide a letter of apology to the complainant. The case was settled with the receipt of these letters.

Derogatory remarks based on or referring to a person's race, ancestry, or place of origin are acts of discrimination and constitute a contravention of the Individual's Rights Protection Act.

AREA OF EQUAL PAY

(1) Ground: Sex

A female janitor filed a complaint with the Commission alleging that she was being paid at a lesser rate than a male employee performing substantially similar work.

The Commission's investigation found the complaint had merit. Initially the respondent refused to negotiate an informal settlement; however, shortly before a board of inquiry was appointed, the respondent offered to resolve the case by providing the woman with five post-dated cheques totalling $2,500. When it was confirmed that all the cheques had cleared, the case was closed.

It is a contravention of the Individual's Rights Protection Act to pay any employee less than another for similar or substantially similar work in the same establishment.

AREA OF ADVERTISEMENT

(1) Ground: Sex

A woman filed a complaint with the Commission alleging that a local newspaper had run a classified ad with wording that specified male help was required.

Upon being informed of the allegations, the newspaper acknowledged their mistake and immediately provided the Commission with a letter of apology to be given to the complainant. The newspaper also informed their staff that future advertisements should comply with the provisions of Alberta's human rights legislation.

It is a contravention of the Individual's Rights Protection Act to publish an advertisement for employment that expresses a limitation indicating discrimination on the basis of gender.

BOARDS OF INQUIRY

Following are the boards of inquiry (see page 3) initiated and/or completed in 1988-89.

1. **STE vs. Peter Bertelsen**

   Chairman: William B. McFetridge

STE had been employed for four summers as a musician with the Peter Bertelsen Trio at Chateau Lake Louise. In June1988, STE was diagnosed as having Acquired Immune Deficiency Syndrome (AIDS). Upon hearing this, his employer, Mr. Bertelsen, fired him from his job. On January 13, 1989, STE filed a complaint against his employer alleging discrimination on the ground of physical disability. A board was appointed in March 1989. The hearing is scheduled for May 1989.

2. **Sue Herron vs. Medicine Hat Catholic School Board**

   Chairman: Allan D. Hunter

Sue Herron filed a complaint with the Commission on January 13, 1988, claiming discrimination on the ground of marital status. In July 1987, she was hired to a teaching position with the Medicine Hat Catholic School Board. Later that month she informed the school board that she was an unmarried mother. Subsequent to this, the school board threatened to break her employment contract and forced her to resign from her position. A board of inquiry is scheduled to hear the case in 1989-90.

3. **Alexandra Vinogradov vs. University of Calgary**

   Chairman: E.W.N. MacDonald

Alexandra Vinogradov filed a complaint with the Commission alleging that she was discriminated against by the University in not being considered for an appointment because of her sex. A board was appointed in March of 1987. On July 20, 1988 the board dismissed the complaint. The Commission and the complainant filed separate appeals on August 15, 1988; however, in December 1988, following receipt of an independent legal opinion, the Commission discontinued its appeal. The complainant's appeal to the Court of Queen's Bench was dismissed by Mr. Justice Rowbotham in February 1989.

4. **Adrian Watters vs. the Cooperators General Insurance Company**

   Chairman: G.M. Meagher

Adrian Watters filed a complaint of discrimination on ground of sex against the insurance company in June 1988. Mr. Watters, who is 19 years old, claimed that the insurance company informed him that he would have to pay substantially higher premiums than his 17 year-old girlfriend for insuring the same vehicle. A board of inquiry was appointed on December 19, 1988. The hearing is scheduled for 1989-90.

5. **Evan Shevin vs. Smoky River Coal Ltd.**

   Chairman: Ihor Broda

Evan Shevin filed a complaint alleging that he was terminated from employment because of his age. A board of inquiry was appointed in March 1988. A hearing was scheduled for July 1988. The parties to the complaint reached a settlement prior to presenting their positions before the board.

6. **Mary Shavalier vs. the City of Calgary and Calgary Civic Employees Benefits Society**

   Chairman: James W. Conway

Mary Shavalier filed a complaint alleging that she was denied sickness benefits for a pregnancy-related illness during her employment. A board of inquiry was appointed in September 1987. A hearing was scheduled for December 1987. The board, however, adjourned because the parties had begun settlement negotiations. A settlement was reached in the spring of 1988.

7. **Nancy Lortie vs. H & A Buff N' Stuff Janitorial Service Ltd.**

   Chairman: Dan Pahl

Nancy Lortie filed a complaint alleging that she was paid less than a male for doing similar or substantially similar work, and was discriminated against on the ground of sex by her employer. A board of inquiry was appointed in January 1988. The case was settled in April 1988, prior to the board being convened.

8. **Danielle Corvari vs. the City of Calgary and Calgary Civic Employees Benefits Society**

   Chairman: James W. Conway

Danielle Corvari filed a complaint alleging that she was denied sick benefits for a pregnancy-related illness during her employment. A board of inquiry was appointed in September 1987. A hearing was scheduled for December 1987. The board, however, adjourned because the parties had begun settlement negotiations. A settlement was reached in the spring of 1988.

9. **Julianna Heinrichs vs. the Calgary Senior High School Athletic Association and the Calgary Board of Education**

   Chairman: Robert W. Eden, QC

Julianna Heinrichs filed a complaint on the ground of sex, alleging that she was denied the opportunity to play football on a boys' team. A board of inquiry was appointed in September 1987, but the parties agreed to hold the matter in abeyance pending the outcome of a comparable case in Ontario (Justine Blainey vs. the Ontario Hockey Association) where a young female was refused the opportunity to play hockey on a boys' hockey team.

The complaint was resolved when the respondent agreed to present amendments to the constitution of the Calgary Senior High School Athletic Association to allow females to participate in junior football.

10. Lee McKibben vs. the Calgary Opera Association

Chairman: Norm Maloney

Lee McKibben, a Caucasian, filed a complaint against the Association alleging that he was refused an audition for a operatic role because of his colour, race and ancestry. A board of inquiry was appointed in July 1987 and a hearing scheduled for November 1987.

The matter was resolved between the parties involved, in April 1988, prior to the convening of the board.

11. Diane Graling, Mona Dziuba, Debbie Leith, Sandy Johnson and Leah Dziuba vs. Community Bingo (Wetaskiwin) Ltd. and Harry Panoussus

Chairman: David Manning

Five women filed separate complaints against their employer, claiming that they had been sexually harassed on the job by their supervisor. The Commission directed the Minister of Labour to appoint a board of inquiry in each case . The boards were appointed in July 1987.

Before the hearings commenced, three of the complainants, Mona Dziuba, Sandy Johnson and Leah Dziuba, accepted settlements of their complaints which included payment of $1,500 to each of them.

The hearings into the complaints of Diane Graling and Debbie Leith took place in January 1988. On June 27, 1988, in both cases, the board found in favour of the complainants: Debbie Leith received a settlement of $2,600 and Diane Graling was awarded $1,650.

12. Oleh Zujewskyj vs. the University of Alberta

Chairman: Ken Alyluia

Professor Zujewskyj filed a complaint of age discrimination alleging that he was required to retire upon reaching the age of 65 years. The board is being held in abeyance pending the outcome of the appeal of the case involving Dr. Olive Dickason and the University of Alberta.

JUDICIAL DECISIONS

If a board of inquiry decision is challenged or appealed, it can be reviewed in Court. Requests for opinions of law (stated cases) can also be referred to the Court.

1. In the Court of Queen's Bench of Alberta before the Honourable Madam Justice E.I. Picard in the matter of a complaint by Dr. Joseph Bugis against the University Hospital Board.

Dr. Joseph Bugis, a 65-year-old, filed a complaint alleging that the Hospitals Board had refused to grant him active staff privileges because of his age. In March 1988, the Commission directed the Minister of Labour to appoint a board of inquiry. Prior to the hearing of the case by the board, both parties to the complaint decided to seek a legal opinion from the Alberta Court of Queen's Bench.

ISSUES:
The Court of Queen's Bench decision was based upon the consideration of two issues:

1) Whether or not the relationship between a doctor and a hospital is one of employment in the sense referred to and covered by subsection 7 of the Individual's Rights Protection Act;

2) Whether or not the complaint filed in the case was timely in view of subsection 19(2) of the Act.

DECISION:
1) Subsection 7(1) of the Individual's Rights Act states the following:

"No employer or person acting on behalf of an employer shall

(a) refuse to employ or refuse to continue to employ any person, or

(b) discriminate against any person with regard to employment or any term or condition of employment,

because of the race, religious beliefs, colour, sex, physical disability, marital status, age, ancestry or place of origin of that person or of any other person."

In her decision, Justice Picard found that the relationship of Dr. Bugis and the University Hospital was not one of employee-employer or one of employment within the meaning of subsection 7(1) of the Act. Subsection 7(1) was, therefore, not applicable to the employment relationship existing between Dr. Bugis and the hospital.

2) Subsection 19(2) of the Act states the following:

"A complaint made pursuant to subsection (1) must be made within six months after the alleged contravention of the Act occurs."

As the complaint submission did not occur until after the expiration of the six-month period, Justice Picard found that the complainant, at the time the complaint was filed, no longer had legal recourse to the Act.

STATUS AS OF MARCH 31, 1989:
The case is now before the Court of Appeal.

2. In the Court of Queen's Bench of Alberta before the Honourable Mr. Justice A.T. Murray in the matter of a complaint by Dr. Olive Dickason against the Governors of the University of Alberta.

Professor Olive Dickason filed a complaint of age discrimination with the Alberta Human Rights Commission alleging that she was required by her employer, the University of Alberta, to retire upon reaching the age of 65. A board of inquiry was appointed and in October 1987 issued a decision upholding the complaint and reinstating Professor Dickason with back pay. The University of Alberta submitted an appeal of the decision to the Court of Queen's Bench.

ISSUES:
The main issue before the Court was whether or not the university's policy of mandatory retirement at the age of 65 was a contravention of and within the scope of section 7(1) of the Individual's Rights Protection Act. Professor Dickason also appealed the Board's decision on general damages and she and the Commission appealed the decision on legal costs.

DECISION:
Professor Dickason's claim was based on subsection 7(1) of the Individual's Rights Protection Act which states the following: "No employer or person acting on behalf of an employer shall

(a) refuse to employ or refuse to continue to employ any person, or

(b) discriminate against any person with regard to employment or any term or condition of employment,

because of the race, religious beliefs, colour, sex, physical disability, marital status, age, ancestry or place of origin of that person or of any other person."

The University of Alberta's argument referred to subsection and 11.1 of the Act.

Subsection 11.1:

"A contravention of this Act shall be deemed not have occurred if the person who is alleged to have contravened the Act shows that the alleged contravention was reasonable and justifiable in the circumstance."

The University of Alberta put forward what it considered to be valid objectives served by its mandatory retirement policy. The validity of these objectives and the need of the mandatory retirement clause to achieve these objectives were offered as justification for overriding subsection 7(1) of the Act.

Article 18.01 of the agreement between Professor Dickason and the Association of Academic Staff of the University of Alberta states the mandatory retirement policy and reads as follows:

"The normal retirement date for a staff member will be 30 June following the attainment of age 65 or 31 August for those staff members who were employed in anticipation of an end of year date, being 31 August."

The objectives allegedly promoted by the mandatory retirement policy are as follows:

"1. The provisions with respect to tenure as contained in the Faculty Agreement constitute a yielding up by the University of what would otherwise be its

normal rights to terminate the contract of employment with its academic staff without cause upon reasonable notice or by payment of damages in lieu of notice; as such it can be seen as a 'trade-off' for mandatory retirement.

2. Mandatory retirement permits academic staff to retire with dignity. Those whose performance may have deteriorated after a long career are allowed to retire without being subjected to a 'stay or go' competency hearing.

3. Mandatory retirement assists the University in its planning process and helps it to respond to changing needs insofar as its resource allocations are concerned.

4. Mandatory retirement facilitates academic renewal and provides opportunity for young academics."

In his decision, Mr. Justice Murray, while agreeing with the validity of most of the objectives, upheld the board of inquiry's position that article 18.01 together with its supporting arguments did not constitute justification for overriding subsection 7(1) of the Individual's Rights Protection Act. The main reason for Mr. Justice Murray's decision was his judgement that the University failed in its attempt to demonstrate the contribution of the mandatory retirement policy to the achievement of the objectives it was supposed to support.

Mr. Justice Murray also upheld the Board's two decisions dismissing Dr. Dickason's claim to general damages and the claim made by the commission and Dr. Dickason for costs of legal proceedings.

STATUS AS OF MARCH 31, 1989:
The University of Alberta is challenging the decision on mandatory retirement in the Court of Appeal.

3. In the Alberta Court of Appeal before The Honourable Mr. Justice Harradence, The Honourable Mr. Justice Belzil and The Honourable Mr. Justice Stevenson in the matter of a complaint by Jim Christie against the Central Alberta Dairy Pool. Appeal by the Alberta Human Rights Commission against the decision of the Honourable Mr. Justice McNaughton.

Mr. Christie alleged he was discriminated against on the basis of his religious beliefs when he was fired for having taken two days off from work for religious reasons. The employer maintained that there was no intentional discrimination and that, because of production requirements, the company could not reasonably accommodate his request for time off. A board of inquiry found that the employer had a duty to accommodate Mr. Christie's religious requirements and ordered the employer to pay Mr. Christie $8,000 as partial compensation for income lost because of the discriminatory action. However, the Board of Inquiry refused to order his reinstatement because of the conflict between Mr. Christie's religious requirements and the demands of his position in the company. The employer appealed the decision on the basis that there was no blanket duty to accommodate, especially where job requirements demand the employee's attendance.

ISSUES:
The fundamental issue was whether the employer's action in firing Mr. Christie constituted discrimination and, therefore, a contravention of subsection 7(1) of the IRPA, or if this action could be considered a bona fide occupational requirement and, therefore, not a violation of the Act.

DECISION:
Mr. Christie's claim of discrimination was based upon subsection 7(1) of the Individual's Rights Protection Act. The subsection reads as follows:

"No employer or person acting on behalf of an employer shall

(a) refuse to employ or refuse to continue to employ any person,

or

(b) discriminate against any person with regard to employment or any term or condition of employment,

because of the race, religious beliefs, colour, sex, physical disability, marital status, age, ancestry or place of origin of that person or of any other person."

The employer's appeal was based on subsection 7(3) of the Act. This subsection reads as follows:

"Subsection (1) does not apply with respect to a refusal, limitation, specification or preference based on a bona fide occupational requirement."

In his decision the Honourable Mr. Justice McNaughton found that the Board of Inquiry had been in error in finding the employer's action not to be based on a bona fide occupational requirement. Mr. Justice McNaughton found that the employer had taken all reasonable steps towards accommodating the employee and his religious beliefs, and,

therefore, was justified in dismissing the employee when efforts of reasonable accommodation had failed. The Court of Appeal upheld Mr. Justice McNaughton's decision.

STATUS AS OF MARCH 31, 1989: The Commission appealed this decision to the Supreme Court of Canada. The Court granted a leave to appeal. The appeal will likely be heard in the fall of 1989.

OMBUDSMAN OF ALBERTA

During the 1988-89 fiscal year the Alberta Ombudsman dealt with two complaints against the Alberta Human Rights Commission.

1. The complainant sought recourse from the Ombudsman due to the Commission's settlement of a job description claim.

The Ombudsman found no error on the part of the Commission and dismissed the complaint.

2. The complainant appealed to the Ombudsman because the Commission refused to investigate the complaint on the grounds that it did not have merit.

The Ombudsman found no error on the part of the Commission and dismissed the complaint.

COMMISSIONERS

Chairman Stan Scudder
1 April 1981 to 31 March 1985
Reappointed 1 April 1985 to 31 March 1987
Appointed Chairman 1 January 1986 to 31 March 1987
Reappointed Chairman 1 April 1987 to 31 March 1989

Stan Scudder,born in Winnipeg, Manitoba, is an insurance broker in Edmonton and has been associated with the insurance industry for the past 40 years. He is past chairman of the Church and Society Committee, a subcommittee of the Edmonton Diocese of the Anglican Church. The committee deals with such topics as justice, native concerns and the problems of the needy and oppressed. Mr. Scudder was the founding president of the Westmount Christian Council, an ecumenical group in Edmonton.

Pearl Calahasen
1 November 1986 to 31 October 1989

Born in Grouard, Alberta, Pearl Calahasen has taught all grade levels at the Alberta Vocational College in Grouard. She is supervisor of Native Programs for the Northlands School Division and has been seconded to Alberta Education's Native Educations project. She was a continuing education coordinator and a member of the Minister's Advisory Committee on University Affairs. Ms. Calahasen is a member of the Alberta Metis Association, the Alberta Teachers Association, and is the Alberta representative on the National Committee for Language Development and Native Education.

Del Iannucci
27 January 1989 to 31 December 1993

Born in Italy, Del Iannucci moved to Canada with his family in 1957. Since 1982, Mr. Iannucci has resided in Calgary where he is the vice-president of acquisitions and development for a local land development company. Mr. Iannucci is serving his second term as third vice-president of the National Congress of Italian Canadians (NCIC) and is the program co-ordinator for the Calgary Multicultural Centre. He has held executive positions with a number of community organizations including Big Brothers of Calgary, the Kinsmen Club of Calgary and Italians for Community Action. In 1988, Mr. Iannucci was the chairman of Calgary's 1988 Canada Day Committee.

Enrico Lazo
1 February 1986 to 31 January 1990

Enrico Lazo, born and raised in Manila, Philippines, migrated to Canada in 1977. A computer system analyst, banker and farmer, he has been a resident of Alberta since 1980. He was head of the computer department of a commercial geophysical data management records centre in Calgary. Mr. Lazo was involved with the Western Canada Games in 1983 and the Alberta Provincial Games for the Physically Disabled in 1985. He is active in the Filipino-Canadian community affairs in Southern Alberta and Chairman, Board of Trustees, NEPA (National Endeavours of Filipino Association), a Filipino benevolent society.

William Leslie
1 November 1984 to 31 October 1988

William Leslie is a Grande Prairie businessman with many years of management experience. He is currently employed at Trumpeter Travel in Grande Prairie as a salesman. Actively involved in school board affairs, Mr. Leslie has served for 22 years as a Grande Prairie school trustee. In addition to being a member of the Alberta School Trustees Association, he has participated in two educational finance task forces.

Suzanne Mah
1 November 1984 to 31 October 1988

Suzanne Mah is an Edmonton lawyer. Her area of practice includes corporate and small business law, commercial law, and real estate. Ms. Mah also teaches legal relations courses in the Faculty of Business at the University of Alberta. She is National Chairperson of Public Affairs for Canada Jaycees and a member of the Mah Society and the Chinese Benevolent Society.

Edna Short
1 January 1986 to 31 December 1989

Edna Short, born in Saskatchewan, has lived in Red Deer since 1962. She is a member of the board of directors for the Red Deer and District United Way. She is a director of both the Chamber of Commerce and the Western Exposition of Red Deer. Mrs. Short has been associated for more than 28 years with the Girl Guides of Canada at the local and provincial level and is the deputy division commissioner in Red Deer. She is a past director of both the YMCA (Young Men's Christian Association) and the United Way, and she is parish administrator for St. Leonard on the Hill Anglican Church.

Alaine Skoreyko
16 February 1989 to 31 January 1993

Born in Saskatchewan, Alaine Skoreyko moved to Alberta during her early teens. The recipient of the 1988 Alberta Human Rights Award, Mrs. Skoreyko is the founder of the Society for the Prevention and Elimination of Discrimination and Stereotyping (SPEDS), an educational program designed to foster among students an awareness and acceptance of social and cultural differences. In 1986, Mrs. Skoreyko retired from teaching after 23 years of service. She is a partner in Foothills Psychological and Educational Services, a Calgary consulting firm, and is a member of the Calgary Citizenship Council, Citizens Against Racial and Religious Discrimination (CAARD), Alberta Association for Multicultural Education (AAME), Alberta Teachers' Association (ATA), Multicultural Education Council (MEC), Kappa Delta Pi, Interculture Canada, and the Society for the Prevention and Elimination of Discrimination and Stereotyping (SPEDS).

STATISTICS

CONTENTS

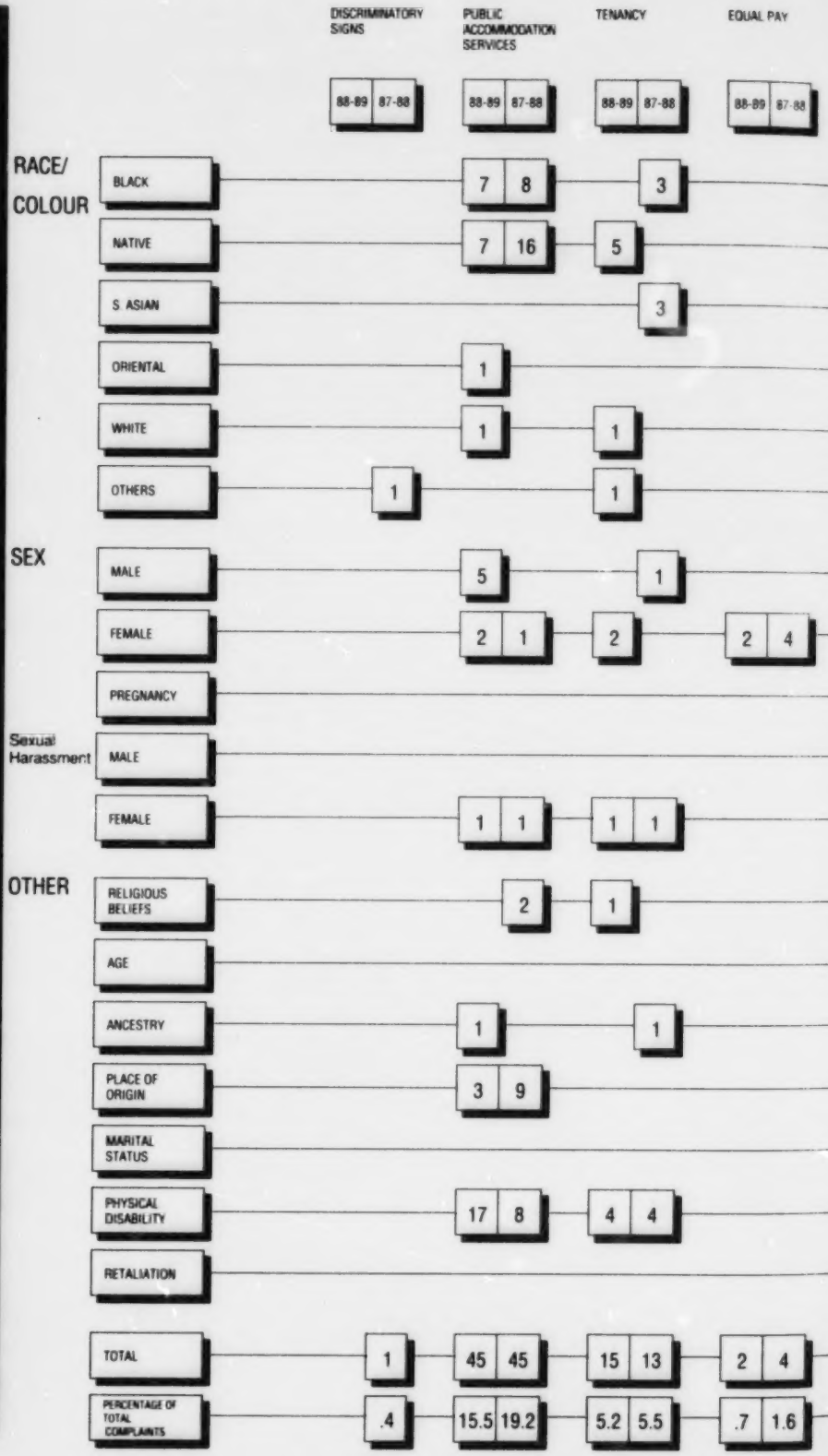
SUMMARY

TOTAL ACTIVITIES IN 1988-89

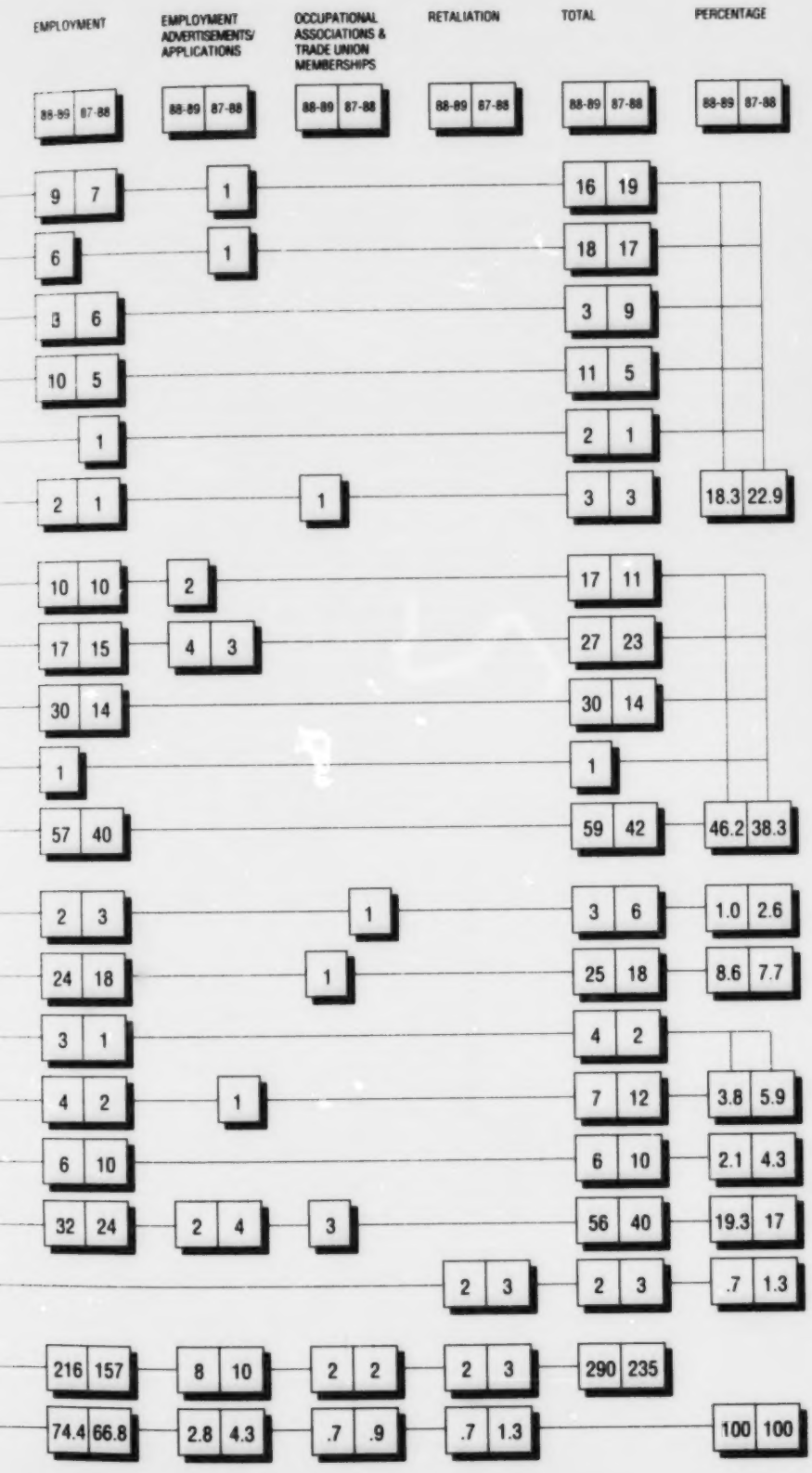
TELEPHONE ENQUIRIES	9,871
ENQUIRIES WITHIN JURISDICTION OF COMMISSION	2,560
FORMAL COMPLAINTS RECEIVED 1988-89	290
PREVIOUS YEAR COMPLAINTS CARRIED OVER	94
FORMAL COMPLAINTS HANDLED IN 1988-89 (TOTAL)	384
FORMAL COMPLAINTS CONCLUDED IN 1988-89:	
(A) Concluded prior to commission action	**27**
(B) Resolved Informally	**138**
Resolved Formally:	
Withdrawn	36
Dismissed	7
Settled	40
(C) Resolved Formally (Total)	**83**
Concluded at board of inquiry stage:	
Settled prior to board hearing	9
Settled by board decision	2
Dismissed by board decision	1
(D) Concluded at board of inquiry stage (Total)	**12**
FORMAL COMPLAINTS CONCLUDED IN 1988-89 (TOTAL) (A + B + C + D)	**260**
COMPLAINTS REMAINING ACTIVE	124

STATISTICS

COMPLAINTS FOR
TOTAL PROVINCE 1988-89
— 1987-88

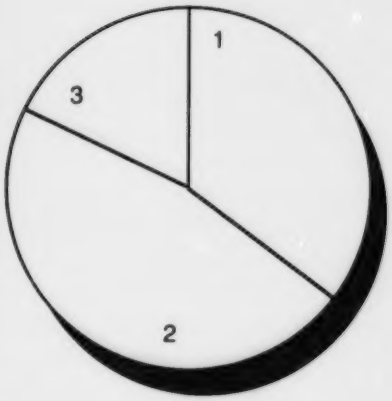


STATISTICS


EMPLOYMENT
EMPLOYMENT ADVERTISEMENTS/ APPLICATIONS
OCCUPATIONAL ASSOCIATIONS & TRADE UNION MEMBERSHIPS
RETALIATION
TOTAL
PERCENTAGE
88-89 87-88
9 7 | 1 | 16 19
6 | 1 | 18 17
3 6 | 3 9
10 5 | 11 5
1 | 2 1
2 1 | 1 | 3 3 | 18.3 22.9
10 10 | 2 | 17 11
17 15 | 4 3 | 27 23
30 14 | 30 14
1 | 1
57 40 | 59 42 | 46.2 38.3
2 3 | 1 | 3 6 | 1.0 2.6
24 18 | 1 | 25 18 | 8.6 7.7
3 1 | 4 2
4 2 | 1 | 7 12 | 3.8 5.9
6 10 | 6 10 | 2.1 4.3
32 24 | 2 4 | 3 | 56 40 | 19.3 17
2 3 | 2 3 | .7 1.3
216 157 | 8 10 | 2 2 | 2 3 | 290 235
74.4 66.8 | 2.8 4.3 | .7 .9 | .7 1.3 | 100 100

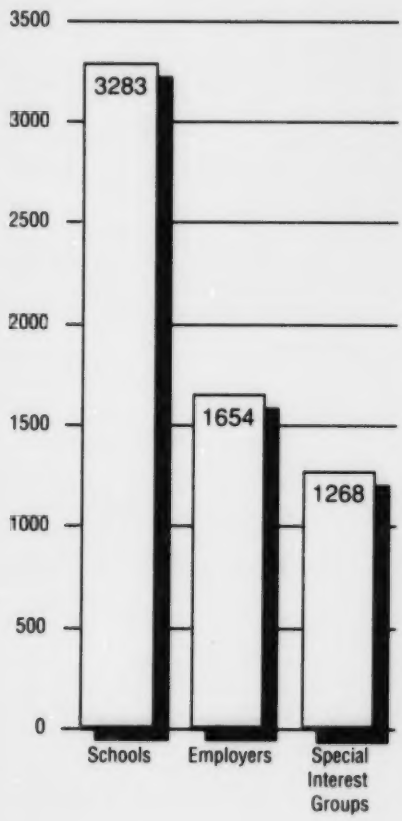
STATISTICS

EDUCATION ACTIVITIES



WORKSHOPS, SPEECHES, CONSULTATIONS AND PRESENTATIONS

1 Educational Institutions	35.5% (162)
2 Employment	46.9% (223)
3 Special Interest Groups	17.6% (71)



PARTICIPANTS

TOTAL **6,205**

Education topics included: general information on the Individual's Rights Protection Act (IRPA); sexual harassment; equal opportunities in employment; services of the Alberta Human Rights Commission; job interviews and applications; equal pay; discrimination in all of the forms covered by the IRPA; and lodging complaints.

1 Includes elementary schools, junior and senior high schools, community colleges, vocational centres, institutes of technology, universities, and special education programs such as job entry and job re-entry programs.

2 Includes employers and employees (both government and non-government), unions, professions, trades, and businesses.

3 Includes service clubs, community organizations, and groups representing women, persons with physical disabilities, or ethno-cultural communities.

STATISTICS

Cases Opened and Closed in 1988-89

Settlements*	139
Withdrawn/Pending Closed	54
Dismissed	0
Total	**193**

*Total monetary settlements of 193 cases opened and closed in 1988-89: $100,899

Cases Closed in 1988-89
(includes complaints from previous fiscal years)

Settlements**	189
Withdrawn/Pending Closed	63
Dismissed	8
Total	260

**Total monetary settlements of 260 complaints closed in 1988-89: $155,558

Note: Settlements also included letters of apology, reinstatement of jobs, and agreements by respondents to cease acts of discrimination.

Timelines

Average times to handle the 260 complaints which were closed in 1988-89:

1 month or less	1-2 months	3-6 months	7-12 months
122 Complaints	40 Complaints	57 Complaints	20 Complaints
47%	15%	22%	8%

12 months or more
21 Complaints
8%

Overall average time to conclude cases: 147 days

Note: Timelines statistics include boards of inquiry and judicial decisions.

TOTAL COMPLAINTS FOR PROVINCE 1988 - 1989

STATISTICS

COMPLAINTS BY PROHIBITED AREAS OF DISCRIMINATION

1988 – 1989

1	Employment	74.5%
2	Services and Accommodation	15.5%
3	Employments Advertisements and Applications	2.7%
4	Tenancy	5.2%
5	Retaliation	.7%
6	Equal Pay	.7%
7	Occupational Memberships, Unions	.7%

1987 – 1988

1	Employment	66.7%
2	Services and Accommodation	19.5%
3	Employments Advertisements and Applications	4.3%
4	Tenancy	5.5%
5	Retaliation	1.3%
6	Equal Pay	1.3%
7	Occupational Memberships, Unions	.9%

1986 – 1987

1	Employment	76.3%
2	Services and Accommodation	9.8%
3	Employments Advertisements and Applications	5.9%
4	Tenancy	3.8%
5	Retaliation	2.1%
6	Equal Pay	1.4%
7	Occupational Memberships, Unions	.7%

STATISTICS

COMPLAINTS BASED ON COLOUR RACE*

1988 – 1989

1	Black	30.1%
2	Native	34.0%
3	Oriental	20.7%
4	South Asian	5.7%
5	White	3.8%
6	Others	5.7%

1987 – 1988

1	Black	35.2%
2	Native	31.5%
3	Oriental	9.2%
4	South Asian	16.7%
5	White	1.8%
6	Others	5.6%

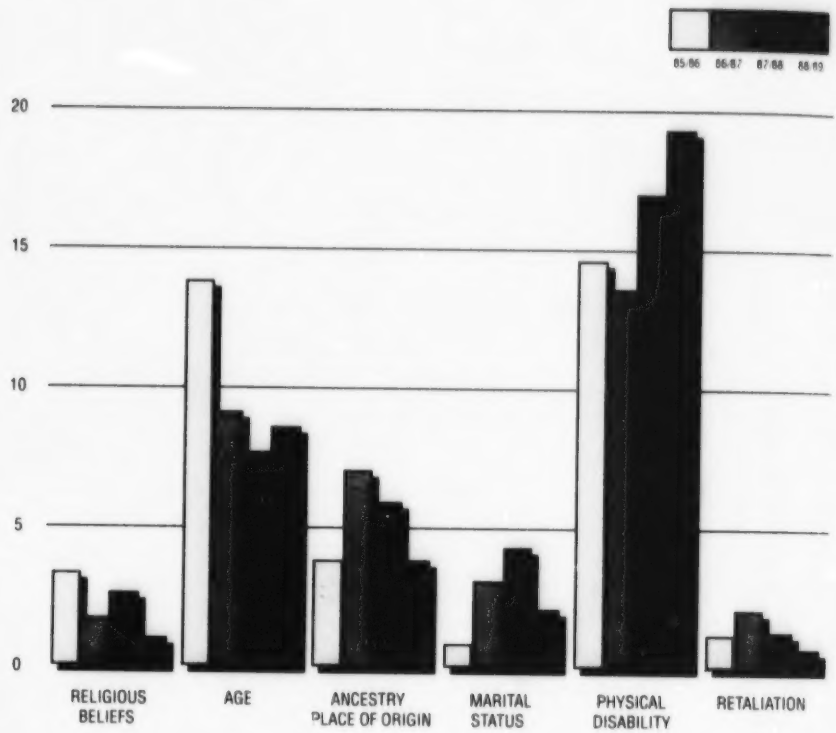
1986 – 1987

1	Black	33.3%
2	Native	31.7%
3	Oriental	15.0%
4	South Asian	11.7%
5	White	5.0%
6	Others	3.3%

* Percentages for 1986-87 and 1987-88 have been changed slightly from previous annual reports due to a new and more accurate system of categorizing complaints.

STATISTICS

PERCENTAGE OF COMPLAINTS BY GROUNDS FOUR-YEAR COMPARISON



STATISTICS

PERCENTAGE OF THE TOTAL NUMBER OF COMPLAINTS CONSTITUTED BY EACH OF THE SEVEN MAJOR PROHIBITED GROUNDS OF DISCRIMINATION

Ground	88-89	87-88	86-87
1 Sex	46.2%	38.3%	44.9%
2 Race and Color	18.3%	23.0%	20.9%
3 Physical Disability	19.3%	17.0%	13.6%
4 Age	8.6%	7.7%	9.1%
5 Ancestry and Place of Origin	3.8%	6.0%	5.9%
6 Marital Status	2.0%	4.3%	3.1%
7 Religious Beliefs	1.0%	2.6%	1.4%

PREGNANCY SEXUAL HARASSMENT AND AGE COMPLAINTS

Status	Pregnancy Complaints*	Sexual Harassment Complaints**	Age Complaints
Settled	8	36	13
Withdrawn	4	5	2
Dismissed	0	0	0
Active	14	13	11
Closed Pending	4	7	1
Totals	**30**	**61**	**27**

*Pregnancy was added to the Individual's Rights Protection Act as a protected ground under sex in June 1985.

**Age was expanded to cover Albertans 18 years of age and older rather than only those between 45 and 65 years, as was the case before the Act was amended in June 1985.